Amendment Under 37 C.F.R. § 1.114 (c) USSN 09/924,719

REMARKS

Claims 1-18, 21 and 24-27 now stand in the application, claim 23 having been canceled

and new claims 24-27. Reconsideration of the application and allowance of all claims are

requested.

The claims have now been amended to more clearly recite the base station sending

processing capacity limits to a base station controller which then evaluates whether any of the

processing capacity limits have been reached. This is not shown or suggested in Fapojuwo.

Claims 25-27 describe a type of signaling and analysis further not taught by Fapojuwo.

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE 23373

Date: September 28, 2006

/DJCushing/

David J. Cushing Registration No. 28,703

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